

**IN THE UNITED STATES BANKRUPTCY COURT
NORTHERN DISTRICT OF OHIO**

IN RE:

**ZACHARY A. AMSTUTZ
BETH A. AMSTUTZ
Debtors**

**CASE NO.: 10-64577
CHAPTER 13**

JUDGE RUSS KENDIG

**OBJECTION TO PROOF OF
CLAIM FILED BY PNC BANK**

Now come the Debtors, Zachary and Beth Amstutz, by and through their Attorney, Vance P. Truman, and object to the proof of claim filed by PNC Bank on or about November 18, 2010 in the amount of \$52,451.31 being Court Claim no. 6.

Debtors were advised that said loan was obtained as an unsecured business loan. Debtors also state that the paperwork filed with said claim is incomplete.

Wherefore, the Debtors respectfully request that this Honorable Court disallow the proof of claim filed by PNC Bank, and order such other and further relief as is just and proper.

Respectfully submitted,

/s/ Vance P. Truman
VANCE P. TRUMAN (0061526)
Attorney at Law
689 Lafayette Road
Medina, Ohio 44256
(330) 722.8877 Fax (330) 722.3410
E-Mail: medinaatty@yahoo.com

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NOTICE OF OBJECTION

Debtors have filed papers with the Court objection to your proof of claim. **Your rights may be affected. You should read these papers carefully and discuss them with your attorney, if you have one in this bankruptcy case. (If you do not have an attorney, you may wish to consult one).**

If you do not want the court to grant the objection, or if you want the court to consider your views on the objection, then on or before **March 2, 2011** you or your attorney must file with the court a written request for a hearing and a written answer explaining your position to the Clerk, United States Bankruptcy Court, Ralph Regula Federal Building & United States Courthouse, 401 McKinley Avenue SW, Canton, 44702.

If you mail your response to the Court for filing, you must mail it early enough so that the Court will receive it on or before the date stated above.

You must also mail a copy to:

**Attorney for Debtors
Vance P. Truman
689 Lafayette Road
Medina, Ohio 44256**

**Chapter 13 Trustee
Toby L. Rosen
400 W. Tuscarawas Street
Charter One Bank Bldg., 4th Fl.
Canton, Ohio 44702**

If you or your attorney do not take these steps, the Court may decide that you do not oppose the relief sought and may enter an order granting that relief.

/s/ Vance P. Truman
VANCE P. TRUMAN (0061526)
689 Lafayette Road
Medina, Ohio 44256
Telephone: (330) 722-8877
Fax: (330) 722-3410
E-Mail: medinaatty@yahoo.com

NOTICE

Pursuant to LBR 9013-1 and 11 U.S.C. §102(1)(b) Notice is hereby given that any response or objection must be filed within thirty (30) days, or such other time as specified by applicable Federal Rule of Bankruptcy Procedure or statute or as the Court may order, from the date of service as set forth on the certificate of service, if relief sought is opposed, and that the Court is authorized to grant the relief requested without further notice unless a timely objection is filed.

CERTIFICATE OF SERVICE

I, Vance P. Truman, hereby certify that the foregoing Objection was sent by regular U.S. mail, postage prepaid, on January 31, 2011 to the following:

Zachary Amstutz
Beth Amstutz
5857 Ely Road
Wooster OH 44691
Debtors

I, Vance P. Truman, hereby certify that the foregoing Objection was sent by certified U.S. mail, postage prepaid, on January 31, 2011 to the following:

PNC Bank
PO Box 94982
Cleveland OH 44101
Attn: Therese Green,
Bankruptcy Specialist for PNC Bank

I, Vance P. Truman, hereby certify that the foregoing Objection was Electronically transmitted on or about January 31, 2011 via the Court's CM/ECF system to the following who are listed on the Court's Electronic Mail:

U.S. Trustee

Toby L. Rosen, Trustee

/s/ Vance P. Truman
VANCE P. TRUMAN (0061526)
Attorney for Debtors